

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

110/A

R  
12-29-00

Application of: **Hans Herweijer,** )  
**Jon A. Wolff, Larry F. Whitesell and** )  
**Matthew R. Wolff** )

Serial No.: 09/330,909 )

Filed: 6/11/99 )

Group Art Unit: 1632 )

Examiner: **J. Woitach**

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DEC 20 2000

**OFFICE OF PETITIONS**

**For: A Process For Delivering Nucleic Acids To Cardiac Tissue**

AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

This Amendment responds to the Office Action dated December 9, 1999. Kindly amend the application as follows:

In the Claims:

Please amend claims 1, 6, 7, 11-12, 14, 17, and 18 as follows:

Sub B3  
A1  
1) (Amended) A process for delivering a nucleic acid to a [cardiac] heart tissue cell in a mammal, comprising:

a) introducing the nucleic acid into a blood vessel; and,

b) delivering the nucleic acid to the [cardiac tissue] heart muscle cell.

A2  
3) (Amended) The process of claim 2 wherein introducing [inserting] the nucleic acid comprises injecting the nucleic acid.

Sub B4  
A3  
5) (Amended) The process of claim 4 wherein delivering the nucleic acid includes increasing the blood vessel permeability.